

In the Supreme Court of the United States

OCTOBER TERM, 1948

No. 281

THE W. E. WRIGHT CO., PETITIONER

v.

WILLIAM R. MCCOMB, ADMINISTRATOR OF THE WAGE
AND HOUR DIVISION, UNITED STATES DEPARTMENT
OF LABOR

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

STATEMENT IN OPPOSITION TO GRANTING PETITION FOR WRIT OF CERTIORARI FOR FAILURE TO APPLY WITHIN PRESCRIBED TIME

Respondent represents to the Court as follows:

1. The above-entitled cause was argued and submitted on April 9, 1948, and an opinion rendered and judgment entered on May 24, 1948 by the United States Court of Appeals for the Sixth Circuit.

2. The petition was filed on September 16, 1948, more than three months since the entry of judgment by the court of appeals, and the period for applying for a writ of certiorari has not been extended by a

Justice of this Court (U. S. C., Title 28, Sec. 2101 (c) and Rule 38 of this Court).

THEREFORE, it appears that petitioner's application for a writ of certiorari is out of time and should be denied.

Respectfully submitted.

PHILIP B. PERLMAN,
Solicitor General.

OCTOBER 1948.